



**US Army Corps
of Engineers**
Omaha District

PUBLIC NOTICE

Application No: 200440104

Applicant: Little Snake River Conservation District

Waterway: Deep Gulch

Issue Date: April 1, 2005

Expiration Date: April 30, 2005

30 DAY NOTICE

Wyoming Regulatory Office 2232 Dell Range Blvd., Suite 210 Cheyenne, Wyoming 82009

JOINT NOTICE OF PERMIT PENDING

U.S. ARMY CORPS OF ENGINEERS AND WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY

The application of the Little Snake River Conservation District (LSRCD), P.O. Box 355, Baggs, Wyoming, 82321, is being considered by the District Engineer, U.S. Army Corps of Engineers, Omaha, Nebraska, for approval of plans and issuance of a permit under the authority of the Secretary of the Army. A permit, if issued, will be under the provisions of Section 404 of the Clean Water Act of 1972, as amended.

The LSRCD has requested authorization to construct Deep Gulch Reservoir. The purpose of the project is to provide 155.07 acre-feet of water for livestock and wildlife propagation on-site providing a recreational fishery. Therefore, the entire capacity of the reservoir is "inactive" according to the Wyoming State Engineer (WSE) preventing the transfer of water off-site for other beneficial uses. An application in the name of the LSRCD to appropriate surface water was filed and assigned a priority date by the WSE on March 29, 2004.

The project includes construction of a compacted earth fill dam on Deep Gulch, tributary of Cow Creek, tributary of Muddy Creek, tributary of the Little Snake River, which is an interstate water. Approximately 42,300 cubic yards (cy) of fill material would be used to construct a dam with a height of 36 feet, a top width of 14 feet, a crest length of 900 feet, 3H:1V slope on the upstream face, 2H:1V slope on the downstream face, and a maximum base width of 197 feet. The dam would have 6 feet of freeboard and a 100-foot wide emergency spillway. The dam would impound 155.07 acre-feet of water creating a reservoir with a surface area of 16.3 acres.

Construction of the dam would require a discharge of 146 cy of fill below the ordinary high water mark of the stream filling 197 linear feet of stream channel and 0.045 acre of wetland adjacent to the stream. The reservoir would inundate 2,286 linear feet of the stream and 0.52 acre of wetland. Wetlands that would be affected are classified as palustrine emergent seasonally flooded (PEMC). Creation of a 13-foot diameter plunge pool at the outlet would require a discharge of 75 cy of rock into the stream. Plans for the project were developed by Rio Verde Engineering in March 2004 and copies of relevant portions of the plan are attached.

The project is located on State of Wyoming land in Section 36, Township 16 North, Range 91 West, Carbon County, Wyoming. A map showing the project location is also attached.

The LSRCD entered into a Memorandum Agreement with the Wyoming Office of State Lands and Investments on June 24, 2004, granting permission to construct the project on State Lands. The LSRCD agreed to provide all necessary maintenance, repair, upkeep, and reclamation of the structural integrity of the dam and reservoir at all times during the life of the dam and reservoir. However, the Wyoming Board of Land Commissioners shall own all right, title, and interest in and to the dam and reservoir. Under these circumstances, the Corps considers the LSRCD as the applicant for a Department of the Army permit.

The U.S. Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies; Indian tribes; and other interested parties in order to consider and evaluate the impacts of the project. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental affects, and other public interest factors. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the project.

Any person may request, in writing and within the comment period specified in this notice, that a public hearing be held for the purpose of gathering additional information. Requests for public hearings must be identified as such and shall state specifically the reasons for holding a public hearing and shall identify what additional information would be obtained. The request must be submitted to the Corps at the following address:

U.S. Army Corps of Engineers
Wyoming Regulatory Office
2232 Dell Range Boulevard, Suite 210
Cheyenne, Wyoming 82009

Any interested party (particularly officials of any town, county, state, federal agency, or local association whose interests may be affected by the project) is invited to submit to this office written facts, arguments, or objections on or before the expiration date of this notice. Any agency or individual having an objection to the project should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this application. All replies to the public notice should be mailed to the address listed above. Mr. Thomas Johnson, telephone number (307) 772-2300, may be contacted for additional information.

The Wyoming Department of Environmental Quality (WDEQ), Water Quality Division, Herschler Building, 122 West 25th Street, Cheyenne, Wyoming 82002, will review the project with intent to certify in accordance with provisions of Section 401 of the Clean Water Act of 1972, as amended. The certification, if issued, will express the state's opinion that the project will not result in a violation of applicable water quality standards. The WDEQ hereby incorporates this public notice as its own public notice and procedures by reference thereto.

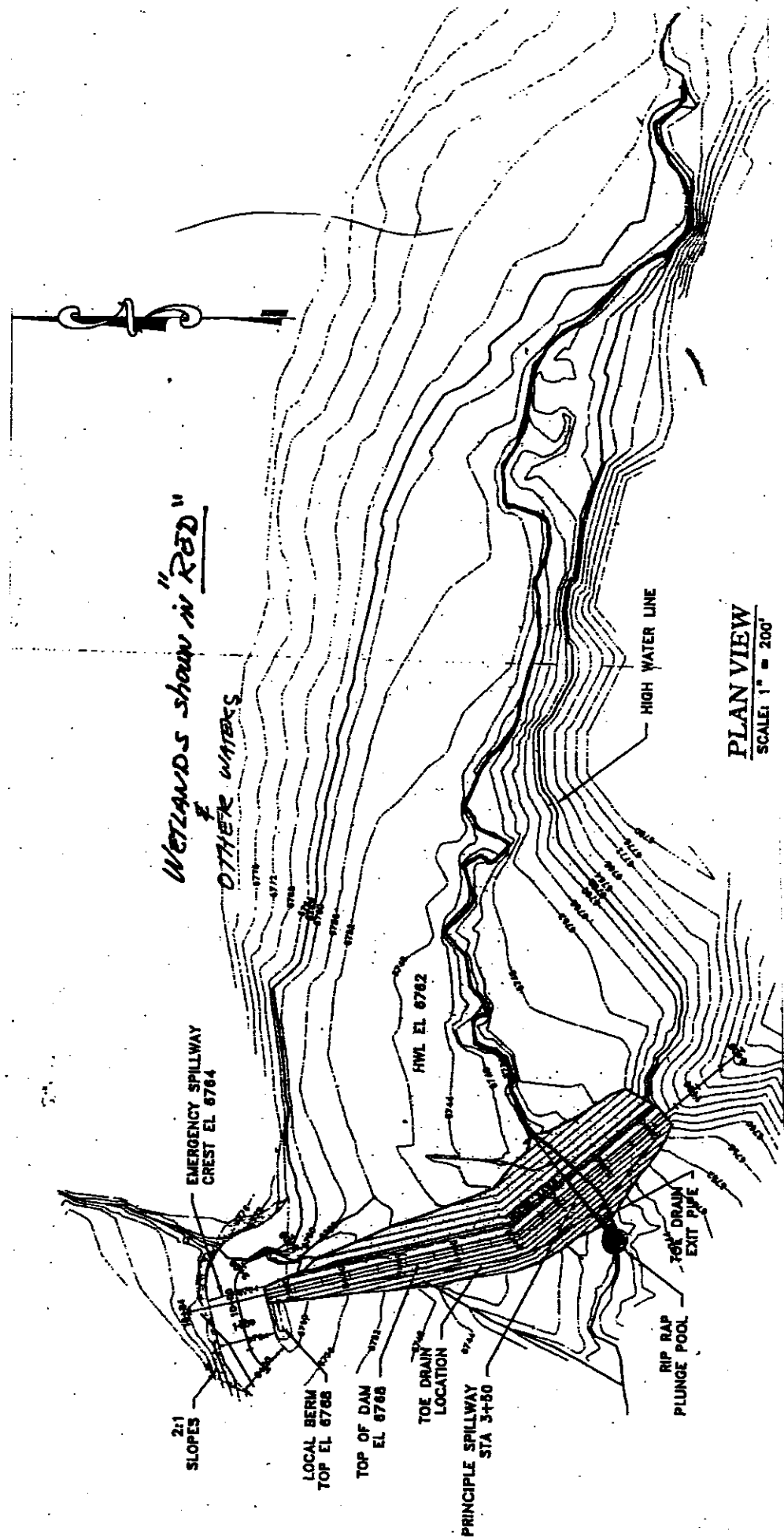
The Corps will comply with the National Historic Preservation Act of 1966 by checking the National Register of Historic Places and "its current supplements" to determine if there are any listed properties or properties eligible for listing within the permit area. We will evaluate comments by the State Historic Preservation Officer and the public in response to this public notice, and may require a Class III survey of the permit area to check for unknown historic properties, if warranted.

In compliance with the Endangered Species Act, the Corps will consult with the U.S. Fish and Wildlife Service to address potential affects of the project on species, or critical habitat, designated as threatened or endangered pursuant to the Endangered Species Act of 1973.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the project on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife, flood plains, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, and considerations of property ownership. In addition, the evaluation will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404 (b) of the Clean Water Act of 1972, as amended (40 C.F.R.; Part 230).

Comments received after the close of business on the expiration date of this public notice will not be considered.

Public Notices issued by the Wyoming Regulatory Office can also be obtained by visiting its website at <https://www.nwo.usace.army.mil/html/od-rwy/Wyoming.htm>



Wetlands shown in "RED"
OTHER WATERS

EMERGENCY SPILLWAY
CREST EL 6784

2:1
SLOPES

LOCAL BERM
TOP EL 6788

TOP OF DAM
EL 6788

TOE DRAIN
LOCATION

PRINCIPLE SPILLWAY
STA 3+80

HWL EL 6782

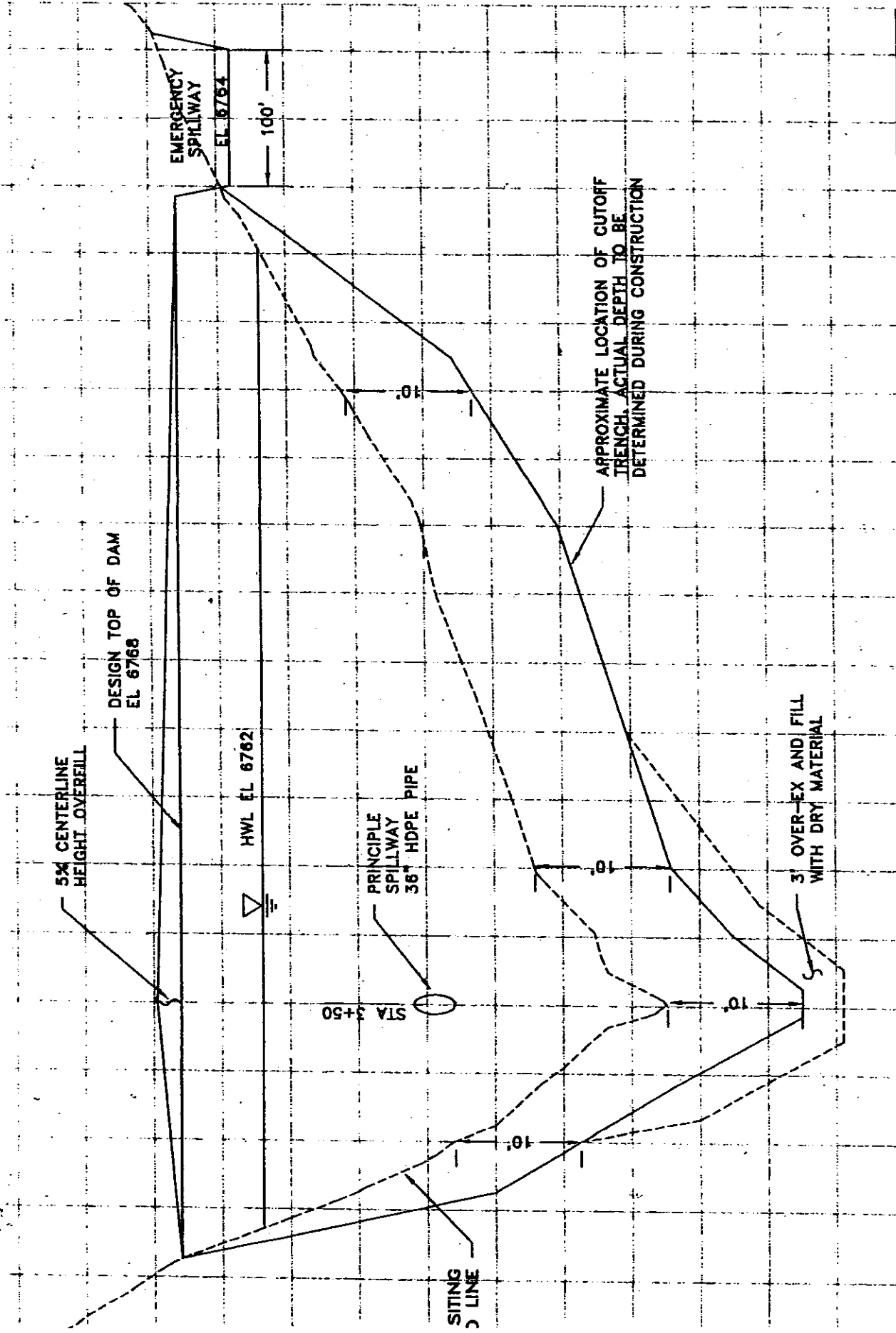
HIGH WATER LINE

78" DRAIN
EXIT PIPE
RIP RAP
PLUNGE POOL

PLAN VIEW
SCALE: 1" = 200'

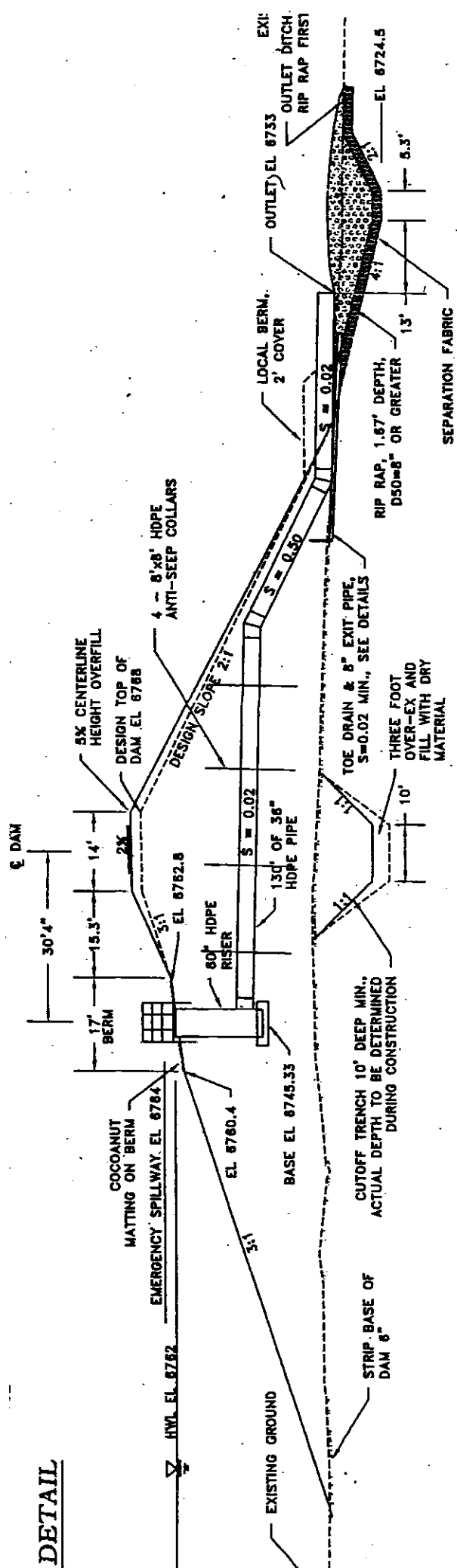
PROFILE CL EMERGENCY SPILLWAY

SCALE: HORZ. 1" = 50'
VERT. 1" = 10'



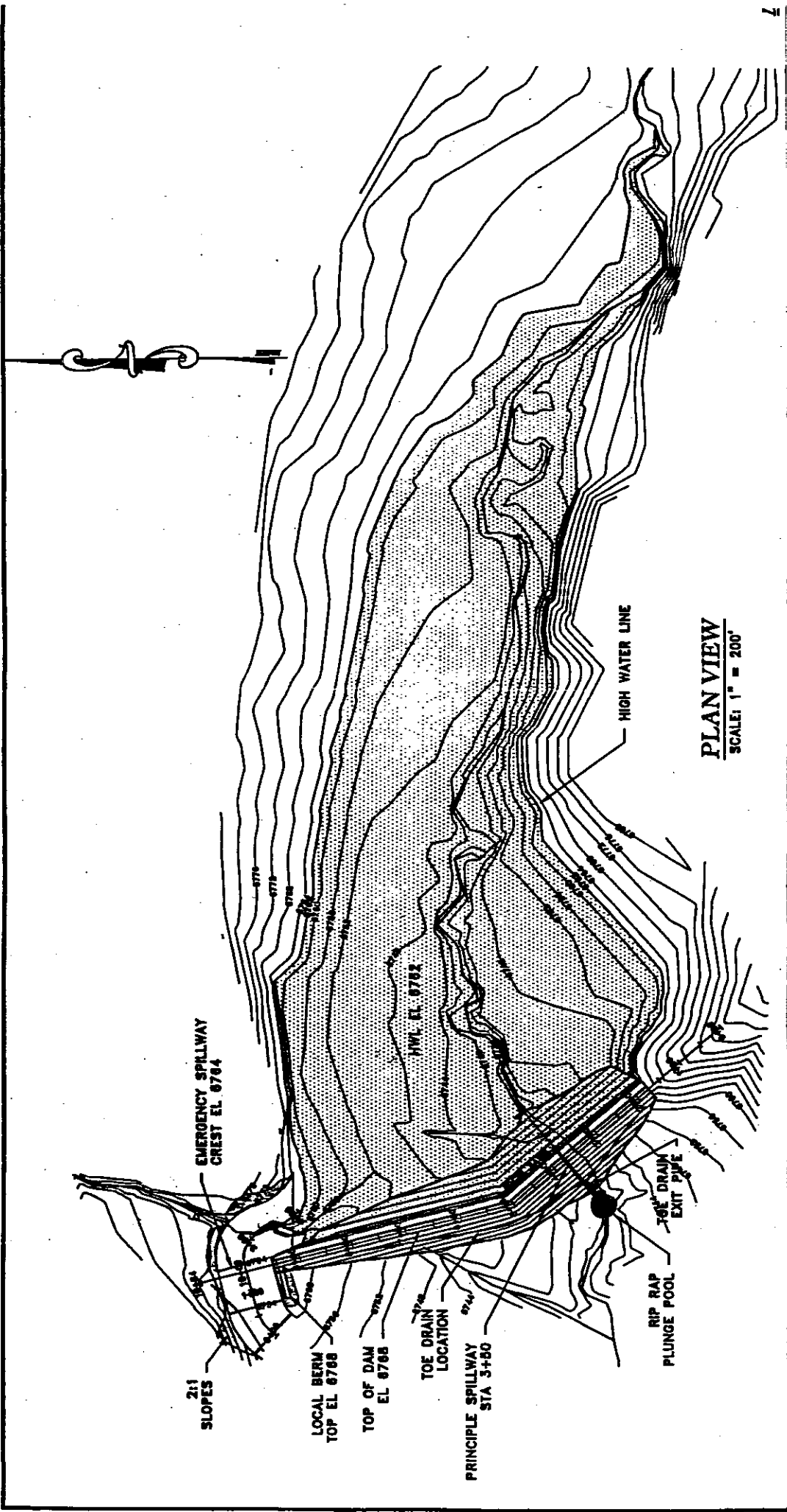
1+50 2+00 2+50 3+00 3+50 4+00 4+50 5+00 5+50 6+00 6+50 7+00 7+50 8+00 8+50 9+00 9+50 10+00 10+50

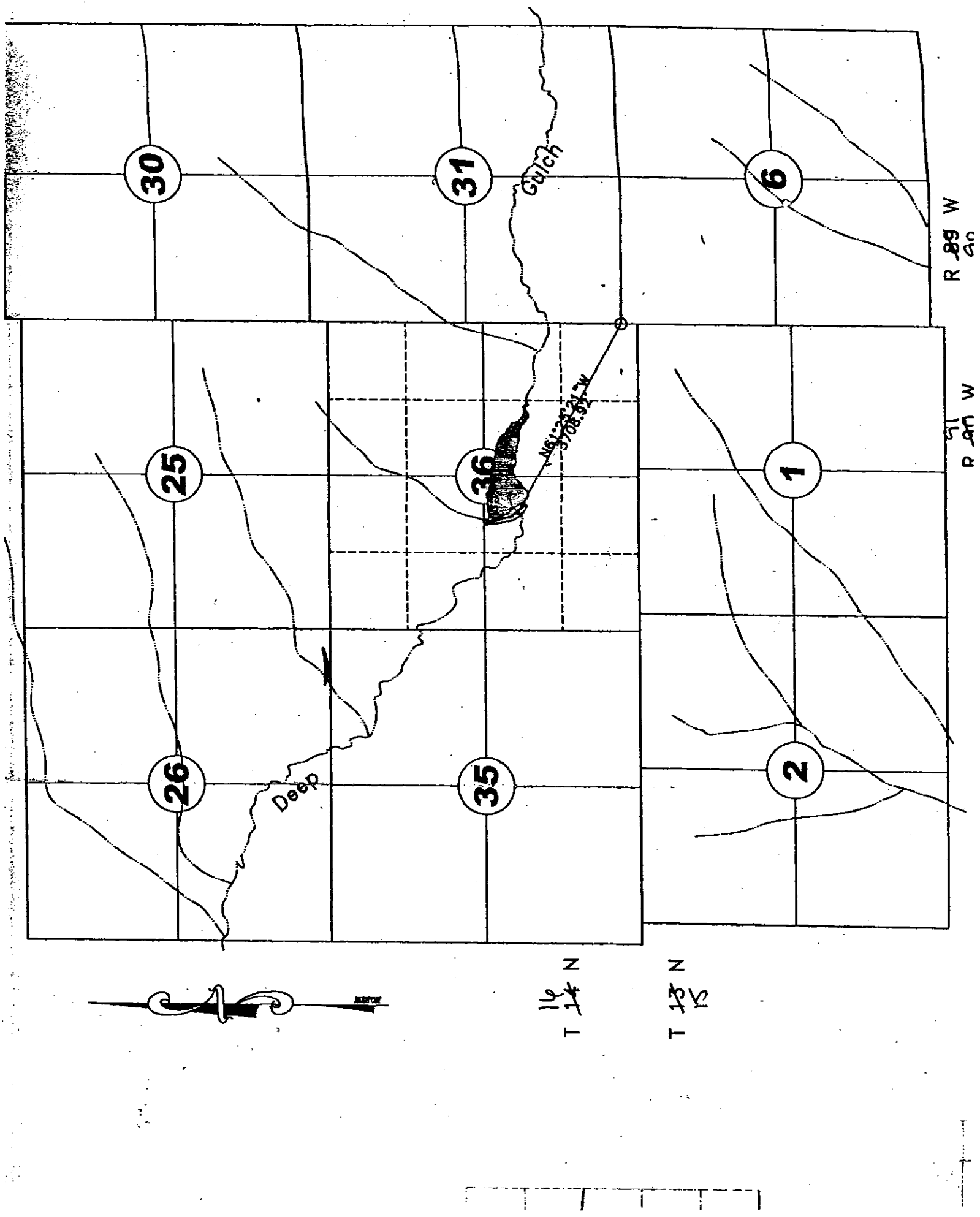
DETAIL

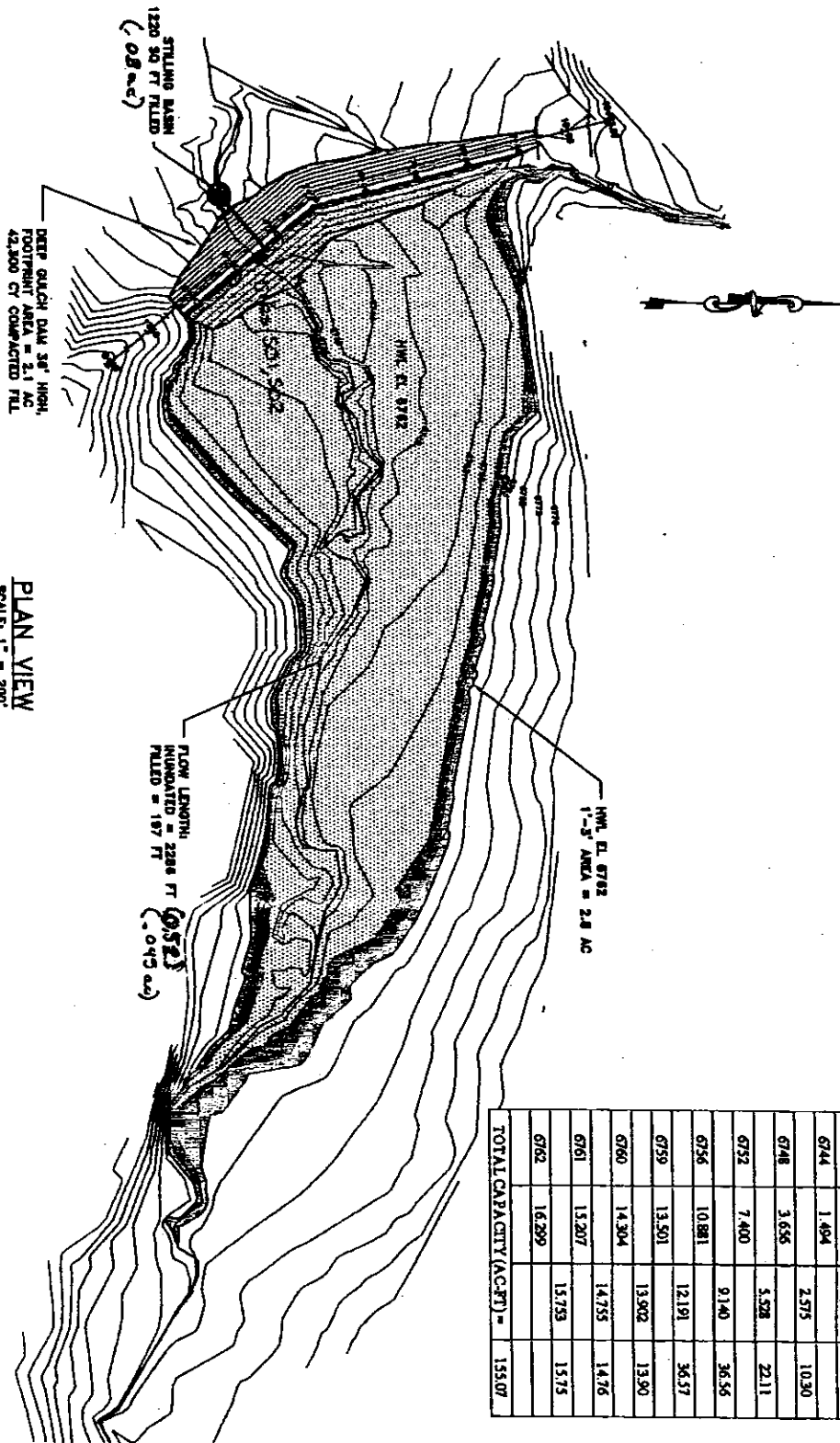


PROFILE ON CL PRINCIPLE SPILLWAY

SCALE: 1" = 20'







PLAN VIEW
SCALE: 1" = 200'

CAPACITY TABLE

Contour	Area (A.C.)	Volume	Capacity
6736	0.093	0.289	1.16
6740	0.486	0.990	3.96
6744	1.494	2.575	10.30
6748	3.636	5.528	22.11
6752	7.400	9.140	36.56
6756	10.881	12.191	36.57
6759	13.501	13.902	13.90
6760	14.304	14.735	14.76
6761	15.207	15.753	15.75
6762	16.299		
TOTAL CAPACITY (ACFT) =			153.07

DEEP GULCH RESERVOIR
PLAN VIEW
LITTLE SNAKE RIVER CONSERVATION DISTRICT
CARBON COUNTY, WYOMING

RIO VERDE
ENGINEERING
(307) 367-2225
FAX (307) 367-2546
PINEDALE, WYOMING

DESIGNED BY: RVC
DRAWN BY: CSE
CHECKED BY: RVC
DATE: 8/12/2004
JOB NO. 2888
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